

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 20935 of 2004

Between:

- 1 B.Laxma Reddy, s/o B.Achireddy,
E.No.251869, r/o Chakripuram,
Near Kushaiguda, R.R.District, Hyderabad.
- 2 K.Veeraiah, s/o late Shiva Rajaiah,
E.No.270215, r/o 30-63/3/6, Bharathnagar Post, R.K.Puram,

Secunderabad.

- 3 K.Raja, s/o late K.Lingaiah,
E.No.300918, r/o A-107, HCL Colony, Near Ashoknagar,

Mallapuram, Hyderabad-51.

- 4 G.Kaleshwar, s/o G.Shivlingaiah,
E.No.251248, r/o 30-118/2/1, Bharathnagar, Post:R.K.Puram,

Secunderabad.

..... PETITIONERS

AND

- 1 The Regional Manager (HCR), APSRTC, J.B.S.,Secunderabad.
- 2 The Depot Manager, APSRTC, Bus Depot, Kushaiguda, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ or direction particularly one in the nature of writ of Mandamus declaring the inaction of the respondents in not releasing the stagnation increment from the date of completion of (12) years of their services from the date of regularized of service as illegal, arbitrary, in violation of Art.14, 16 & 21 of the Constitution of India and consequently direct the respondents to grant the stagnation increments from the date of completion of (12) years of service from the date of

regularization of their services along with all consequential benefits in the interest of justice and fair play.

Counsel for the Petitioners: MR.V.NARASIMHA GOUD

Counsel for the Respondents: MR.V.T.M.PRASAD (SC FOR APSRTC)

The Court made the following :

ORDER:

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1. The petitioners are working as Drivers in the respondent-Corporation. They are contending that they completed 12 years of service and they are entitled for stagnation increment in pursuance of the circular No.PD – 113/1989 dated 03-06-1989. The petitioners are contending that according to the said circular, the employees, who have put in 12 and more years of service in the same category, are entitled to get stagnation increment. As the respondent-Corporation did not consider the cases of the petitioners for the release of stagnation increment, they approached this Court seeking a direction to the respondent-Corporation for the said purpose.

2. In the light of the circumstances explained by the petitioners, and in view of the judgment of a Division Bench of this Court in W.A.No.1301 of 2000 dated 29-10-2002, the respondent-Corporation is directed to consider the cases of the petitioners regarding their request for the release of stagnation increments, and pass appropriate orders as per Rules, keeping in view the instructions of the Corporation through the circular No.PD – 113/1989 dated 03-06-1989, within two months from the date of receipt of a copy of this order.

3. The writ petition is accordingly disposed of. No order as to costs.

16-11-2004

Vs/lsk

To

- 1 The Regional Manager (HCR), APSRTC, J.B.S.,Secunderabad.
- 2 The Depot Manager, APSRTC, Bus Depot, Kushaiguda, Hyderabad.

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